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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

17 NATIONAL TPS ALLIANCE, *et al.*,

18 Plaintiffs,

19 v.

20 KRISTI NOEM, in her official capacity as
21 Secretary of Homeland Security, *et al.*,

22 Defendants.
23

Case No. 3:25-cv-5687

**DEFENDANTS' MOTION FOR A STAY OF
PROCEEDINGS IN LIGHT OF LAPSE IN
APPROPRIATIONS**

Judge: Hon. Trina L. Thompson

1 Dated: October 1, 2025

Respectfully submitted,

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11 /s/ Lauren E. Bryant
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MOTION FOR A STAY OF PROCEEDINGS IN LIGHT OF LAPSE OF APPROPRIATIONS

The United States of America hereby moves for a stay of all proceedings in the above-captioned case.

1. At the end of the day on September 30, 2025, the appropriations act that had been funding the Department of Justice expired and those appropriations to the Department lapsed. The same is true for the majority of other Executive agencies, including the federal Defendants. The Department does not know when such funding will be restored by Congress.

2. Absent an appropriation, Department of Justice attorneys and employees of the federal Defendants are prohibited from working, even on a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.

3. Undersigned counsel for the Department of Justice therefore requests a stay of all proceedings until Congress has restored appropriations to the Department.

4. If this motion for a stay is granted, undersigned counsel will notify the Court as soon as Congress has appropriated funds for the Department. The Government requests that, at that point, all current deadlines for the parties be extended commensurate with the duration of the lapse in appropriations—i.e., each deadline would be extended by the total number of days of the lapse in appropriations.

5. Because Defendants will not agree to stay implementation of the termination of TPS for Honduras, Nepal, and Nicaragua until Congress restores funding, Plaintiffs are unable to agree to stay these proceedings until that time. Plaintiffs also request an opportunity to file opposition to the motion within 48 hours.

Therefore, although Defendants greatly regret any disruption caused to the Court and the other litigants, the Government hereby moves for a stay of all proceedings in this case until Department of Justice attorneys are permitted to resume their usual civil litigation functions.

Dated: October 2, 2025

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I, Lauren Bryant, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

Dated: October 2, 2025

By: /s/ Lauren E. Bryant
Lauren E. Bryant
Trial Attorney